

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RUSTEM KAZAZI, et al.

Movants,

v.

U.S. CUSTOMS AND BORDER
PROTECTION, et al.

Respondents.

No. 1:18-MC-00051-DAP

JUDGE DAN AARON POLSTER

DECLARATION OF MICHAEL UNGAR

I, Michael Ungar, state the following under 28 U.S.C. § 1746(2):

1. My name is Michael Ungar. I am a citizen of the United States, a resident of the State of Ohio, and over the age of 18. I submit this Declaration in support of Movants Rustem, Lejla, and Erald Kazazi's motion for an award of attorneys' fees. I am fully competent to make this Declaration, which I make based on my personal knowledge.

2. I am a graduate of Boston University and the Boston University School of Law (J.D., 1984), and a member in good standing of the Bars of the State of Ohio as well as of this Court, along with the Supreme Court of the United States, the United States Courts of Appeals for the Sixth and Tenth Circuits, and the United States District Courts for the Southern District of Ohio, the District of Arizona, the District of Colorado, the Eastern Division of Wisconsin, the Northern District of Illinois, the Eastern District of Michigan and the Western District of Texas.

3. I am a partner at the law firm of Ulmer & Berne, LLP, where I am also Chair of the firm's Litigation Department and a member of the Management Committee. My office address is 1660 West 2nd Street, Suite 1100, Cleveland, Ohio 44113.

4. I am Past President of the Cleveland Metropolitan Bar Association and have extensive experience in complex business disputes as a litigator, arbitrator and mediator. A full and accurate representation of my curriculum vitae is available on my law firm's website at <https://www.ulmer.com/attorneys/ungar-michael-n/>.

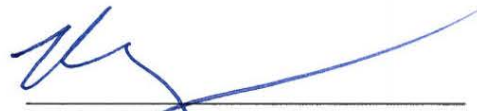
4. As a result of my litigation experience, I am knowledgeable about prevailing rates charged by attorneys in the Northern District of Ohio. I have been asked by attorneys at the Institute for Justice to provide my opinion regarding the reasonableness of the hourly rate sought by their pro bono lawyers in connection with the fee application in the above-captioned case.

5. I have been provided with information by counsel for the Movants in this action, and I base my opinions on that information. Specifically, I have reviewed the Declaration of Wesley Hottot that is to be submitted in connection with this motion, in which Mr. Hottot details his relevant legal experience. I have also reviewed the Motion for Return of Property that was filed initiating this case. I have also been provided with the Declaration of Patrick Lewis, in which Mr. Lewis (a partner at Baker & Hostetler, LLP), declares that his standard hourly rate in 2018 is \$435 per hour.

6. Based upon my knowledge of the local legal market, it is my opinion that a reasonable range of hourly rates for an attorney of Mr. Hottot's experience would be \$385 - \$450 per hour. It is also my opinion that Mr. Lewis's rates are within the normal range for a Cleveland attorney of his experience.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 17th day of December, 2018


Michael Ungar